

HARRIS COUNTY

EMERGENCY SOLUTIONS GRANTS

WRITTEN STANDARDS—CARES ADDENDUM

Harris County has received various awards of Coronavirus Aid, Relief and Economic Security (CARES) Act Emergency Solutions Grants (ESG). This funding is used to prevent, prepare for and respond to COVID-19.

To ensure The Continuum of Care operates these funds in the best response and preparation for COVID-19, this addendum applies to all CARES ESG Funding awarded and executed in our community.

Effective Date:

This addendum goes into effect in accordance with HUD Waivers – March 31, 2020

HUD Regulatory Waivers:

- As a result of the COVID-19 pandemic, HUD expanded eligible uses of HMIS. HUD waived 24 CFR §576.107(a)(2) which authorizes use of ESG funds for managing and operating the Homeless Management Information System (“HMIS”) funds if the recipient is the HMIS lead agency. This waiver allows Subrecipient to use ESG funding for the provisions in 24 CFR §576.107(a)(2) even if the Subrecipient is not an HMIS lead agency. Expanding HMIS eligible activities allows more Subrecipient to use ESG funding to upgrade or enhance the HMIS as needed to incorporate ESG program data related to COVID-19. The waiver to expand HMIS eligible activities will be in effect from April 5, 2020, to September 30, 2020.
- As a result of the COVID-19 pandemic, HUD changed re-evaluations from three to six months for homelessness prevention. HUD waived 24 CFR §576.401(b) which requires a re-evaluation of the Program Participant’s eligibility and the types/amounts of assistance to occur not less than once every three months. With the waiver, re-evaluations for homelessness prevention will be required not less than once every six months. Waiving three-month re-evaluation requirement for homelessness prevention assistance is necessary to help program participants remain stable in housing during the economic uncertainty caused by COVID-19. This waiver applies from April 5, 2020, to March 31, 2022.
- As a result of the COVID-19 pandemic, HUD suspended monthly case management. HUD waived 24 CFR §567.401(e), which requires Program Participants to meet with a case manager not less than once per month, unless the Violence Against Women Act of 1994 or Family Violence Prevention and Services Act prohibits the shelter or housing being conditional on the Program Participant’s acceptance of services. Waiving the monthly case management requirement until September will allow ESG Subrecipient to provide case management on an as-needed basis and reduce the possible spread and harm of COVID-19. This waiver is in effect from April 5, 2020, to August 22, 2020.
- As a result of the COVID-19 pandemic, HUD waived the Fair Market Rent (FMR) requirement. HUD waived 24 CFR §576.106(d)(1), which requires total gross rent to be equal or less than the FMR established by HUD. Moving people into permanent housing is especially critical to prevent the spread of COVID-19, and this waiver will assist providers to more quickly locate additional units to house persons experiencing homelessness. The rent reasonableness standard still applies. The FMR requirement is waived from April 5, 2020, to September 30, 2020.

Extension of Waivers:

- If as a result of the COVID-19 pandemic, HUD or the Department extends the time period for the above mentioned HUD Regulatory waivers or Department Waivers, and there are no substantive changes associated with said extension, the Department may allow use of the waivers for the extended time period without the requirement of a written amendment hereto. In such an event, however, Subrecipient should retain any written correspondence from the Department regarding said extension of the COVID-19 related waivers.

Homeless Prevention:

- Entitlement ESG is up to 30% AMI but ESG-CV is waived up to 50% AMI. However, Harris County may choose to use these funds is for those households falling under 30% AMI.
- Any ESG-CV recipients or subrecipients must coordinate with the CoC, including but not limited to Coordinated Access, HMIS participation, and CAPER reporting, and follow all ESG requirements that have not already been waived.
- Prioritize COVID homeless prevention to persons and households with actual COVID diagnosis and/or positive tests with resulting loss of income.

Rapid Rehousing:

- Any RRH awarded with COVID CARES funding would not operate under the CMI structure as identified in the The Way Home RRH Business Rules, but either in collaboration with a selected RRH provider or Harris County CSD.
- Any ESG-CV recipients or subrecipients must coordinate with the CoC, including but not limited to Coordinated Access, HMIS participation, and CAPER reporting, and follow all ESG requirements that have not already been waived.
- Case management is needed especially during COVID-19 so we do not recommend waiving monthly meeting requirement listed in the ESG Written Standards. Allow monthly meetings to be conducted in the following priority:
 - Virtual monthly meetings, for example via zoom or other face time app.
 - Telephone meetings
 - Prioritize Homeless Medical Isolation and Recovery Center (HMIRC) customers
 - It should be noted, rapid rehousing funds are directed to individuals and families with income or work history and skills that indicate employability.

Effective Adjustment Date:

The adjustment to the addendum goes into effect in accordance with HUD's COVID-19 Resource Digest Resource guidance on [Adjusting ESG Written Standards for ESG-CV](#)– January 19, 2021.

ESG-CV funded shelters and street outreach programs should encourage **(but may not require)** people experiencing homelessness to get tested if they are experiencing COVID-19 symptoms.

Emergency Shelters

- The purpose of ESG-CV funds is to prevent, prepare for, and respond to COVID-19 in order to prevent and mitigate the spread of COVID-19 among people experiencing homelessness and the staff that provide services to these individuals. This requires that existing shelters implement public health protocols such as enforcing social distancing, establishing an isolation space (especially for residents suspected of having COVID-19, those with confirmed cases, and high-risk residents such as elderly people and people with pre-existing health conditions), using personal protective equipment (PPE), and cleaning/disinfecting shared and living spaces. In many communities where existing shelter is

not available or where current shelters are not able to implement these safety protocols, additional space may need to be identified to allow people to have shelter while staying as healthy as possible. This may be space within an existing shelter (e.g., an office not being used) that could be temporarily converted into a quarantine space for someone who has tested positive or is awaiting test results, or it could be an entirely separate building. Eligible shelter spaces may include public spaces, pop up or modular structures in compliance with U.S. Department of Housing and Urban Development (HUD) guidance. In addition, shelters are encouraged to use funds provided through ESG-CV to purchase technology to access telehealth services provided through Healthcare for the Homeless.

Other Emergency Shelter Adjustments include the following:

- Shelters funded by ESG-CV may not turn away eligible program participants and must establish referral pathways to other shelter or housing if the shelter is at maximum capacity. Shelters must establish referral pathways to isolation and quarantine if a client is in need of such services.
- Shelters funded through ESG-CV will maintain social distancing requirements established in partnership with the county's department of public health.
- Shelters funded by ESG-CV are strongly discouraged from implementing a maximum length of stay when a discharge will result in program participants returning to unsheltered settings or situations putting them at a higher risk of COVID-19 infection.
- Someone who presents at an ESG-CV funded shelter with respiratory symptoms (e.g., cough) should not be turned away solely because of their health symptoms.
- Any ESG-CV funded shelter that is considering closing or not accepting new residents must immediately notify Harris County and Coalition for the Homeless of Houston/Harris County.
- If shelters choose to utilize symptom screening as a part of intake procedures, it must be reviewed and approved by a local public health partner such as the county's department of public health or the Healthcare for the Homeless partner.

Street Outreach

- As a result of the COVID-19 pandemic, HUD has approved the following as eligible costs under the street outreach component of ESG:
 - Engagement: Hand sanitizer, soap, tissue packets, masks, disposable gloves, other PPE.
 - Case Management: Coordinating medical care.
 - Transportation: Train or bus tokens, taxi or rideshare for program participants' travel to and from medical care.
 - Expanded Staffing: Hiring additional staff to support infectious disease preparedness, providing hazard pay to staff with direct participant contact.

Rapid Rehousing

- As a result of the COVID-19 pandemic, HUD allows for the prioritization of the use of ESG-CV funds for RRH for those experiencing homelessness. **Note: people cannot be denied RRH because of zero income. Projects funded with ESG CV funds are expected to serve people with zero income.**
- Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act ESG-CV funding, there will be no rental payment requirement for households receiving financial assistance.
- RRH sub-recipients must use a progressive engagement model; this practice supports using the least intensive intervention to help resolve homelessness for the individual or family. Providers are to add more assistance only as necessary if the less intensive intervention is unsuccessful. *RRH households receiving rental assistance subsidies must contribute a minimum of 30 percent of their monthly adjusted income toward their monthly rent. This tenant rent contribution may be adjusted at any time based on changes to household income. There is no minimum rent requirement and tenant rent contribution may be zero for households with no income.*

- RRH programs are encouraged to consider the maximum number of rental assistance months be extended/adjusted to address unemployment, loss of income, or benefits due to COVID-19.

Homelessness Prevention

- ESG-CV funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the 'homeless' definition in 24 CFR 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the 'at risk of homelessness' definition, or who meet the criteria in the 'homeless' definition at 24 CFR 576.2 and have an annual income below 50 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in 24 CFR 576.105, the short- and medium-term rental assistance requirements in 24 CFR 576.106, and the written standards and procedures established under 24 CFR 576.400."4
- As a result of the COVID-19 pandemic, HUD has approved the following as eligible costs under homelessness prevention:
 - Landlord Incentives: ESG-CV funds may be used to pay for landlord incentives that are reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at risk of homelessness. Landlord incentives may not exceed three times the rent charged for the unit. Eligible landlord incentives include:
 - Signing bonuses equal to 2 months of rent.
 - Security deposits equal to up to three months of rent, or the state statute.
 - Costs to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit.
 - Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances.